

# JUAREZ

and

# CESAR CANTÚ.

A REFUTATION  
OF THE CHARGES PREFERRED BY THE ITALIAN HISTORIAN, IN HIS LAST WORK,  
AGAINST THE AMERICAN PATRIOT.

Conscience demands that the  
accuser shall prove the veracity  
of the charges he makes.—CESAR  
CANTÚ.— *In his Biography of*  
*Maximilian.*

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THE great intellectual gifts which distinguish and recommend the historian Cesar Cantú have properly earned for him the merited reputation he enjoys in the civilized world; and we, who have always been his sincere admirers, are to-day the first to acknowledge that universal opinion. It is precisely because of his fame as a historian that we lament the fact that Cesar Cantú, when referring to matters relating to the Mexican Republic, whether he narrates the history of the past or treats of contemporaneous events, has not adhered to that historical accuracy which it is his bounden duty to observe, and which impartial criticism should not alter in any way.

"*In Mexico*"—says Cesar Cantú, in his work entitled THE HISTORY OF THE LAST THIRTY YEARS—"while Spain was warring against Napoleon I, the nobles and the clergy unfurled the banner of the ancient Aztec monarchs, the white and blue standard of the Virgin of Guadalupe, and separated from the mother country, etc."

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This unpardonable error as to the historic origin of the independence of Mexico, is repeated by Cesar Cantú in his biography of Maximilian. It would be difficult to explain this error of judgement on the part of the eminent historian otherwise than by attributing it to the lack of authentic data respecting a matter so well known, and so different from the account presented in the *History of the last thirty years*. But be it as it may, and even admitting every attenuating circumstance in his excuse, the fact remains that Cesar Cantú has persisted in errors which are foreign indeed to his general impartiality, when, in the biography of Maximilian, he formulates his charges against the great reformer, the great defender of the independence and autonomy of Mexico, Benito Juarez. The charges against that spotless patriot, are as follows:

"*Juarez promised the territory of Sonora to the United States, and by these means he secured his recognition (as President).*"

"*The body of Maximilian, which the butchers of the Prince had solemnly promised to deliver, had to be ransomed from that dishonorable and heartless oligarchy at the cost of entreaties and of money.*"

We may casually remark, that in the biography of Maximilian there are some other historical errors which we do not contradict, because they really possess no great importance, and have no bearing upon the principal subject of this refutation. Still, some of them deserve to be pointed out, because they indicate, at least, the incomprehensible carelessness of that historian when discussing the men and affairs of this country.

He says, for instance, that Maximilian "*granted liberty to the negroes. . . . at the same time in which Lincoln decreed that of the negroes in the United States.*"

What knowledge of Mexico, of its history, of its social condition, can a man have who, without hesitation, thus declares that there were slaves in this country when Maximilian arrived? If Cesar Cantú, in the full compliance with his duties as a historian, had consulted the books that had already been published about Mexico, he would have learned, as we all know here, that in December 1810, the illustrious curate of Dolores solemnly issued a decree granting liberty to the negroes; that Morelos repeated this decree on the 5th of October 1813, and that Guerrero, on the 15th of September 1829, confirmed those prescriptions by another decree which contained these two articles:

"1st Slavery is abolished in the Republic."

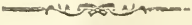
"2nd All persons who hitherto have been considered as slaves, are free."

But there is yet something more to be noted. Maximilian, far from having abolished slavery, which did not exist in Mexico, entertained the idea of re-establishing that hateful institution, acting, for this purpose, in accord with the Southern Confederacy, as may be seen by innumerable documents which are to be found in the fifth volume of the Correspondence of the Mexican Legation in Washington, and which were published here in 1871.

He says also that Juarez "*from the adjacent territory (alluding to the United States) continued to call himself the legitimate Chief of Mexico,*" when all the world knows that Juarez never for a moment abandoned the

national territory. To such a degree of confusion do the statements and the appreciations of the Italian historian reach, that amongst the few Mexicans whom he eulogizes, he mentions Zaragoza, without considering the fact that the well deserved fame of this noble champion of independence and reform, was won principally by his splendid victory over the French army sent by Napoleon III to realize the *most glorious page in the history of his reign*, which consisted in placing the Archduke Maximilian on the throne of Mexico.

Let us proceed now to discuss the principal charges preferred by Cesar Cantú against Benito Juarez.



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*8/11/11* *Cesar Cantu*

## The Sonora Matter.

**W**E do not hesitate to do full justice to the Italian historian by declaring that, with his great learning and correct judgment, he could not have acted in bad faith when he wrote against Juarez, thus permitting himself to become a voluntary accomplice or instrument of ignoble passions. But it is important to state that Cesar Cantú was a personal friend and professor of Maximilian; that the latter had conferred upon him honorary appointments and commissions in public instruction, and that therefore he was not in a position of complete independence to judge of Mexico and of Juarez with entire impartiality. In addition; it is not a secret that this historian belongs to the Conservative party of Europe, and that he has maintained his sympathy for the Pope and the Clergy, having even acted as Secretary to an Œcumenical Council. These were not, as we have said before, the most fitting conditions to judge impartially of Juarez, who in Mexico was the

champion of reform; and who, far from submitting to Maximilian, as certain deluded parties anticipated, fought against him without truce or rest, and thus worthily responded to the confidence universally reposed in him by his countrymen.

With regard to the judgment of the historian, we think the foregoing is sufficient to show the rock upon which his impartiality stumbled. With respect to the fact as it really is, we have to present it with all its antecedents. These are as follows:

In the session of the Spanish Senate, held on the 24th of December 1862, when discussing the reply to the speech from the Throne, General O'Donnell, then President of the Cabinet, said: "*Juarez, as a Mexican, has, in my opinion, a stain which can never be effaced. Juarez has signed a treaty by which he sells to the United-States two provinces under the title of a pledge for two years, as a guarantee for a loan . . . . This is a stain which I cannot imagine how the Mexicans will view. Were I a Mexican, I never would forgive him*" <sup>1</sup>

The Duke of Tetuan was, then, one of the first who launched this unfounded accusation against the patriot Benito Juarez; but it was also to him that the illustrious Mexican first gave a solemn contradiction by publishing the letter which appeared in the *Diario*

1 A clear proof of the candor of General O'Donnell, as well as of the value of the sources from which he obtained his information, is the fact that during the same session of the Senate and in the same speech, he read a communication from the Conservative leader Don Felix Zuloaga, dated in Habana, August 14th 1862, in which this gentleman attributes to Juarez the intention to "*exterminate the whole white race in Mexico.*" How then can it surprise us that the Duke of Tetuan should have given credit to the false report relative to the sale of *the two provinces*, if he believed that Juarez was the promoter of a war of races?



*Oficial* of February 23rd 1863. Juárez descended voluntarily from his lofty position as President, so that, as a simple citizen, he might say to the chief of the Spanish cabinet: “*You are authorized to publish the proofs you may have upon this matter.*” The most absolute silence was the attitude assumed by O’Donnell, thereby demonstrating, once and for ever, the absurdity of the calumny with which it was attempted to blacken the brilliant reputation of the indefatigable defender of the independence of Mexico and the integrity of its territory.

It will not be out of place here to produce this letter of Benito Juárez, and the article which was written upon the subject by Don Manuel M. Zamacona, who was at that time editor of the *Diario Oficial*.

The following are the documents:

«The *Diario* of the Government of the Mexican Republic.—Volume I, number 16, February 23rd, 1863.

“A calumny against the President of the Republic.

«We have just received this letter:—National Palace, City of Mexico, February 22nd, 1863.—To the Editor of the *Diario Oficial*.—My dear Sir:—I have just read in the *Monitor Republicano* of this date the speech which Señor O’Donell, President of the Spanish Cabinet, delivered in the discussion of the reply to the speech from the Throne, and I have seen with surprise, amongst other inaccurate statements, that Señor O’Donnell uses, in judging of the men and affairs of Mexico, the following remarkable words . . . . «Juárez, as a Mexican, has, in my opinion, a stain which can never be effaced: that of having desired

to sell two provinces of his country to the United States». . . . This accusation, made by a high functionary of a nation, and on a serious and solemn occasion, in which a statesman ought to be careful that his words shall carry the seal of truth, of justice and of good faith, is an accusation seriously grave, because it might be suspected that, by reason of his high position, he holds documents to prove his statements. Yet this is not true. Señor O'Donnell is hereby authorized to publish the proofs which he may hold with regard to this matter. In the meanwhile my honor obliges me to state that Señor O'Donnell has erred in the judgment he has formed of my official proceedings; and I authorize you, Mr. Editor, to deny the imputation which is thus so unjustly made against the Chief Magistrate of the State.—I am, Mr. Editor, your obedient servant.—*Benito Juarez.*»

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«Most willingly we comply with the request made in the foregoing letter. Our testimony can add nothing to the weight of the noble and sincere asseveration of the Chief Magistrate of the Republic. Nevertheless, we avail ourselves of this opportunity to declare that we have been induced by the firmest conviction to designate as a calumny, in the heading which we have given to these lines, that which the Chief of the Spanish Cabinet has uttered in his recent speech before the Cortes, when alluding to the present President of our Republic. An affirmation so false, when heard from the lips of a person in so high a position, makes us comprehend to what extent the systematic defamation made by the press and by intriguers has misled the judgment of persons who have the opportunity, and whose duty it is, to be well informed as to the affairs of Mexico.

«The speech of Marshal O'Donnell, which is the motive for this explanation, renders other important rectifications also necessary. We shall devote a subsequent article to

this end, and we may perhaps make use of that opportunity to examine how far it may be legitimate to censure our governments for the manner in which they exercise the sovereign power of the Republic with regard to the free disposal of its territory. We do not mean to say that the preservation of the integrity of the Nation does not form a part of our principles; but the susceptibility of our independence is hurt when we see the effort to make it a crime, on the part of Mexico, to do that which European nations do every day. We see that we are banned for an alleged attempt to cede two of our States, when no blame is uttered against the cession, for instance, of the two provinces, the acquisition of which has recently made the Emperor of the French so vainglorious in his speech at the opening of the legislative sessions. We are more jealous of the integrity of Mexican territory than are our censors across the seas; but we protest that no exceptional law should be exclusively invented for our own country.

«Let the question of law be what it may, we entertain the most profound conviction that not only has the Government of Mexico never thought of alienating one single inch of the Republic, but that the very idea of such an act has always been rejected with repugnance and indignation by the present Executive. It is difficult for Spain to comprehend the absurd aspect which, for us who know the President of the Republic and who have been associated with him in his official acts, is presented by the imputation that he has attempted the alienation of national territory. We who have witnessed how he has resisted unhesitatingly the tempting offers which implied the salvation of the country in its present crisis, solely because these offers involved a depreciation of the national sovereignty or of the rights emanating therefrom; we who know, (and every Mexican knows) that on this matter the Chief Magistrate of the Republic is guided by something like a prejudice which is characteristic of him, we all can look with contempt, because of its improb-

ability, upon the imputation to which we refer as simply absurd, were it not that the position of its author and the occasion which upon it was made, gave it another character. This makes it clear that, although the Mexican question has lately been widely discussed, great errors yet remain to be dissipated, and great truths to be brought to light.

«The characteristic susceptibility of the President of the Republic, on the subject under consideration, explains the promptitude with which, immediately after the arrival of the last news from Europe, he felt inclined to make by himself, and in a letter written by his own hand, the explanation we have just inserted. In that letter he invites Marshal O'Donnell to publish the data upon which he has attempted to attribute to the President of Mexico the intention to alienate a part of our territory, and we feel sure that such data will never be produced, because it is simply impossible to produce the proofs of that which has never occurred. This is known to all the inhabitants of the Republic; and were it not unworthy of the Chief of the Nation to appeal to witnesses, he could invoke the testimony of eight millions of Mexicans.

«Marshal O'Donnell repeats, without knowing it, one of those charges which the personal enemies of the President have propagated all over Europe, conscious as they are that the silly and absurd nature of these calumnies makes it impossible to circulate them in Mexico. It has been once attempted to use these arms even here against the Chief of the Nation; but a victorious vindication was the immediate result, and public opinion has rendered its accustomed tribute to justice, and has confounded the calumniator.

«As a proof of this, we deem it opportune to reproduce an article published in the *Siglo XIX*, during the early days of June 1861.<sup>1</sup> — *M. M. Zamacona.*»

<sup>1</sup> The article to which Mr. Zamacona refers will be inserted hereafter.

Upon landing in Veracruz, General Forey said:

*"It is not against the Mexican people that I come to make war, but it is against a handful of men without scruple and without conscience, who have trampled upon justice, governing by means of sanguinary terror, and who, to support themselves, are not ashamed to sell the territory of their country to foreigners by piecemeal."*

It was natural that this calumny, uttered by the chief of the expedition, or rather by Napoleon III himself, since it was he who indited Forey's proclamation, should find an echo later on in the French Legislative Body, and it was there in fact where M. Corta repeated, on the 15th of April 1865, the accusation against Juarez, affirming most positively that he had sold the State of Sonora to the United-States for seventy five millions of francs. Just as it might be expected, the calumnious statement was immediately denied, and it was Mr. Romero who denied it, in a letter dated the 2nd of May of the same year, which he addressed to the President of the Associated Press of New-York. The letter was published in the newspapers of said city.

In the resolutions reported by the Committee appointed by the *Council of Notables* to decide upon the form of government which should be given to Mexico, a committee which was composed of Don Ignacio Aguilar, Don Joaquin Velasquez de Leon, Don Teofilo Marin, and Don Cayetano Orozco, it was said: *"The world already knows the attempts made by the Government of Juarez in Veracruz, and afterwards in Mexico, to obtain a direct protectorate by the United-States, which would have been the death of our independence."*



It is thus seen that at all times even to the present, the political enemies of Mexico, that is to say, the partisans of the Church and of the Empire, have sought to stain the historic reputation of our great citizen, by attributing to him the intention, and even more, the attempt to sell the national territory to the United-States.

The *Diario Oficial de the Empire*, of June 26th, 1865, constituting itself, *in bad faith*, the echo of the statements published by a foreign newspaper, said, when speaking of Maximilian: "*his own predecessor* (Juarez) *offered the "very same territory* (Sonora) *to President Lincoln for "three millions of pounds sterling."*

But it is not strange that foreign speculators and wandering adventurers should accept the calumny when there were Mexicans who, perhaps without conviction, undertook to propagate it.

One of them was the lawyer Don José Maria Aguirre, who in 1861 was enrolled with the fifty one members of Congress who endeavoured to declare the election of President Juarez null and void. Mr. Aguirre formulated the same charge against Juarez; a charge which was rejected as unfounded by the same members of the opposition belonging to the fraction of the fifty one. That distinguished journalist, Francisco Zarco, chief editor of the *Siglo XIX*, published, in connection with this matter, the remarkable article which we now reproduce, and to which Mr. Zamacoena refers in his article of the *Diario Oficial* already cited. That article confirms these two important truths: the refusal of Juarez to solicit foreign aid, even against the opinion of his own friends and political cor-

religionists, and the absolute absence of facts on which to base the accusation preferred by Aguirre.

The following is Zarco's article:

#### **An accusation against the President of the Republic.**

«The whole country remembers, undoubtedly, the afflicting circumstances which surrounded the Constitutional Government in the early days of its permanence at Veracruz, when dismay reigned all over the districts subjected to the Church party, and where, it is a fact, the liberals did not abound as they do to day. The condition of the interior of the Republic was painful indeed, and its situation abroad could not be worse, after the empty farce of power created by the reactionary faction in Tacubaya had been recognized as the legitimate Government of the country, thanks to the intrigues and to the interests of a European diplomatist whose memory can never be forgotten. At that time it was looked upon as a hope, as an advantage, that the Constitutional Government should succeed in obtaining recognition by the United-States of America, the liberal party believing that the moral influence of the neighboring republic, its mercantile interest, and even its physical support, would be auxiliaries to the national cause, and would hasten the triumph of right principles.

«In this aspiration, which became general among the most distinguished members of the liberal party, there was one who did not participate, who openly refused to call foreign troops to his aid, whether they were to be of the regular army of the United States, or whether they were to be volunteers who, on arriving in Mexican territory, would renounce their nationality and, after the campaign should have ended, would receive public lands on which to settle, in recompense of the services which they might lend to their adopted country. The man who thought that this plan was not consistent with the national decorum, the man who in this extreme resort foresaw a dan-

ger to our independence; he who never despaired of the Mexican people, believing that alone and without foreign help they would reconquer their liberty and institutions, was the President of the Republic; and thanks to his tenacious and obstinate resistance at that time, we owe the failure of any international treaty between government and government, and of any contract with private parties for the purpose of bringing foreign forces to the Republic to follow the Constitutional banners. In the same manner he was opposed to the idea of loans if, in the contract to obtain them, there was to be any stipulation which would bring with them great international obligations.

«What we have just stated is proved by well known facts, and it is authentic and incontrovertible. Juarez was then blamed as obstinate and pertinacious by many of his friends, a charge that was repeated later on when, with the same tenacity, he refused to accept a reconciliation with the Church party and the mediation of foreign powers in the settlement of our internal questions. Two capital ideas were in the mind of the President: a scrupulous zeal for independence, for the nationality of his country and for the integrity of its territory, together with an unlimited confidence in the triumph of public opinion, and in the people, believing that of themselves they would recover their rights without the disgrace of foreign aid.

«We asserted that the President almost alone rejected the opinions which were then entertained by many members of the liberal party, and in saying so we give to each one his due. Many military chiefs declared that it was necessary to enrol foreign volunteers. Some others wished not only soldiers but also officers. Miguel Lerdo de Tejada and Governor Zamora participated in these ideas, which, we frankly confess, since we do not fear the responsibility for our opinions, were our own under those sad circumstances. In vain the President was entreated; in vain were proposed the most studied precautions to avoid any circumstances which might injure or impair the



independence or the dignity of the Republic; in vain the idea was combined with some other projects, joining it with the necessity of colonization, of making religious liberty effective, of maintaining, after the victory, an element of material force that would complete the pacification of the country. Juarez rejected all these ideas; he had disagreements even with many of his friends. In his correspondence he always opposed the project, and persevering in the struggle, events have shown that he was right. Thanks to him, the Republic overcame its oppressors without any other aid than that of her own resources and the intrepid efforts of her own sons. There exist a good many letters written by Juarez to prove our assertions.

« So far are we from wishing now to formulate any charge against the persons who thought of recruiting a foreign force, that we have just said that we ourselves were among them. We believed that this was the last resort for the prompt re-establishment of peace; but we did not overlook its inconveniences, and to day we rejoice when we see that the progressive revolution, in its triumph, finds itself free from such inconveniences.

« It was necessary to refer to what has passed in order to express our astonishment on seeing that in one of the late sessions of Congress, a member, Mr. Aguirre, accused the President of treason, bringing up as a reproach, the celebration of the Ocampo-Mac Lane treaty, in which, if it be true that great concessions were made to the United-States, it is also certain that not all the advantages they solicited were granted, as is proved by the fact that the said convention was rejected by the American Senate. The text of the treaty, be its tenor what it may, furnishes no foundation on which a charge against the President could rest, since it is well known that the right to introduce amendments and modifications exists until the very moment of the ratification of treaties. As for the rest, the commercial immunities, the right of transit for American troops on certain occasions, do not involve an attack on the national independence, nor can they justify

the charge of treason launched forth so hastily by the Deputy from Nuevo Leon and Coahuila.

«We have not the right to investigate what may be the intentions of Mr. Aguirre. Conscience is a sanctum into which we cannot penetrate, and we are only allowed to judge of facts from what is patent and apparent in them.

«In critical and solemn moments for the country, we do not think it prudent to excite alarms or distrust, or to attempt to depreciate the worthy citizen whose republican virtues, whose love for independence, whose sincere adhesion to our institutions are undoubted by the whole country, and whose constancy and integrity have contributed more than anything else to the re-establishment of the constitutional regimen.

«If in the pretended presidential question, and we say pretended, because really there is no such question, when the laws are clear and definite, as we shall soon demonstrate, it is the intention to extol one candidate, there is no necessity to depreciate the other, nor to ignore the thousand rights whereby he has acquired the acknowledgements of his fellow-citizens.

«But be this as it may, the accusation made by Mr. Aguirre is somewhat late, and it contradicts the eulogies which he, as President of Congress, offered to Juarez in his speech delivered on the day in which the sessions were opened. It cannot be said that the usual courtesies or the official urbanity demanded those eulogies. The President of Congress was only obliged to reply in general terms, and he was under no necessity to applaud the acts of the functionary whom he now calls a traitor.

«Mr. Aguirre, when the sessions commenced, was among those who offered their support to the Executive for the purpose of consolidating the institutions, of securing the constitutional regime and of pacifying the country. How could he believe that such noble intentions as these could be held by the Magistrate whom he now calls a traitor.

«The election of Mr. Aguirre as President of Congress

was considered by those who are familiar with politics, and by the public in general, as a favorable symptom for the Executive, so much so that his Honor's name was mentioned in the various combinations which were formed to compose a parliamentary Cabinet, and we do not believe that Mr. Aguirre would have refused a portfolio at that time. Would he have consented to associate himself with the President against whom he launches forth the epithet of traitor?

« We will applaud the examination of the Mac-Lane treaty and all the documents relating to it, by the National Representation, because such an examination must result in the triumph of truth and the honor of the functionary who, during three years of conflict and danger, has been the firm representative of the principle of legality.

« But this examination can only be useful to rectify public opinion, if it has been in any way influenced by Mr. Aguirre's words. The responsibility of Juarez is purely a matter of opinion, since the Constitution makes public functionaries responsible for consummated acts, and not for simple opinions, or on account of acts which were only in the way of being executed.

« How can Mr. Aguirre know, how can the jury know, what were the intentions of Juarez respecting the Mac-Lane treaty, what the modifications he would have proposed, if the negotiations had been renewed, or to what articles he would have refused his ratification? This simple question destroys all the charges, and the hope earnestly expressed by some organs of the press that this incident would be sufficient to render it impossible for the present depository of the Executive Power to attain the Constitutional Presidency of the Republic.

« We see with satisfaction that Mr. Ruiz, who was Minister of Justice when the Mac-Lane treaty was negotiated, has promptly taken up Mr. Aguirre's words and intends to refute them. In this not only the reputation of Juarez, Ruiz and the other members of the Government of that time are interested, but also the decorum of the

liberal party and the dignity of the Republic, which would not be without a stain if it was a fact that a band of traitors had been acknowledged as the centre of the national unity. We feel sure that Mr. Melchor Ocampo will not allow this matter pass unnoticed, and that with his characteristic frankness he will bring to light all that ought to be known.

«Thus far the effect of the accusation has been contrary to the expectations of its author, whom we unexpectedly find among the zealous defenders of individual rights, for we remember that they did not merit too much respect from him when he was a member of the Cabinet of General Arista.

«Congress, instead of being alarmed, instead of suddenly distrusting the Executive, silenced the accusation by passing a vote of confidence and approving in general the suspension of guarantees, whereby the power and authority of the President of the Republic is strengthened.

«It would be painful on this occasion to draw a parallel, between the public life of the accused and that of the accuser. If we did, we could then see on whose side are to be found the greater firmness of principles, the greater political consistency, and the greater adhesion to democratic institutions. But so ungrateful a task is altogether useless, since the charge of treason preferred against Mr. Juarez can find no echo in public opinion, which beholds in this citizen one of the most illustrious and noble nationalists who have presided over the destinies of the country.

«Public opinion cannot hesitate between Mr. Juarez and the author of the celebrated decree of the 21st of September 1852, which suppressed the liberty of the press. — *Francisco Zarco.*»

Even in our own days, although it seems incredible, the attempt has been made to prove that Juarez sold to the Americans a part of the national territory, under the pretext of a contract for colonization.

What is strange, what is incomprehensible, is that the man who unceasingly struggled against three European powers, always defending the integrity and the autonomy of his country, is precisely the man who is accused of having entered into unworthy treaties, whether with a foreign government, or whether with private colonization companies, to sell to them the honor and the territory of Mexico. There are accusations so absurd, that, frankly, they do not deserve the honors of refutation.

In order to judge, as justice demands, of the public life of Juarez, it must be borne in mind that, sanguinary and fierce as was the struggle sustained by Mexico against the French army, and against the Church partisans who joined the foreign invaders, thanks to the energy of Juarez, worthily supported by the liberal party, that war terminated without the loss of one single inch of our territory, without recognizing on our part, any indemnity or debt to the enemy in the event of signing with him a treaty of peace.

As a contrast, we can cite what occurred after the colossal war between France and Germany. France lost Alsace and Lorraine, and was obliged to pay to Germany an indemnity of five thousand millions of francs. Italy, in her war with Austria, had to cede Nice and Savoy to France.

And this has happened not alone in Europe. We have seen in America what Peru has lost in her war with Chili.

Mexico alone, without signing a treaty, without granting away any right, without even listening to the terms of the invader, saw the war ended without



making any sacrifice, either of her honor, her dignity, or her independence, or of the integrity of her territory.

And although this has happened before our own eyes, there are still persons who believe, or pretend to believe, and say that Juarez intended to cede to the Americans a portion of our national territory!

In the presence of an accusation which, having been so often repeated, has become puerile, and witnessing this fruitless desire to stain the spotless reputation of the patriot Benito Juarez, we must exclaim with Cesar Cantú himself: "*Conscience demands that the accuser shall prove the veracity of his charges, and here the accused demands in vain* THE PROOF, THE DOCUMENT, THE COURT OF HONOR."

But the truth manifests itself in such a manner and with such force, even to those most blinded by error or dominated by passion, as to make Cesar Cantú himself confess, in his biography of Maximilian, that *Juarez, ex-President of the Republic, was . . . THE REPRESENTATIVE OF THE NATIONAL PARTY.*" It seems proper to mention this confession made by a personal friend of Maximilian, who was decorated by the latter with the Order of Guadalupe, since the partisans of the Empire have often declared that Juarez was the chief of the Mexican bandits, and that, supported by an oppressive minority, he imposed his will upon the Nation without having had its support at any time.

Cesar Cantú acknowledges also that *that war* (the Mexican) *was intensely unpopular in France, but very favorable for the banking house of Jecker.*" This declaration places Maximilian in a very bad predicament,

making him appear as an instrument or accomplice of that scandalous speculation in which Napoleon III himself, the Duke of Morny and Jecker, were the prominent actors.

On the other hand, the Italian historian adds: "*Fo-rry and Bazaine achieved easy triumphs and captured Puebla and Mexico*," and not a word does he say about the battle of the 5th of May 1862, nor does he even mention the name of Laurencez. It is not in this way that history ought to be written; and it is difficult to believe that Cesar Cantú paid such a tribute to human frailties, in the presence of his own contemporaries, when speaking of events which made so much noise in the world, beause of their great importance and their immense signification.

In a book entitled: "*Lombardy in the XVI Century*," Cesar Cantú wrote the following words, which we take up and accept as the best defence of Mexico and of the immortal Juarez: "WHEN HAS IT BEEN SEEN THAT SOPHISTRY AND BAYONETS COULD PREVAIL OVER THE FORCE OF TRUTH, WHICH IS THE MOST IRRESISTIBLE OF FORCES?"

How can it be explained that a person who thinks so justly, and who formulates such a magnificent axiom, should fall into the errors that his history contains, with regard to events the effects of which are still felt, and which have been judged of in Europe with all exactness by truly impartial minds?

The reply to this question will appear natural to our readers, if they take in consideration the circumstances which we now proceed to mention.

Cesar Cantú was seventy two years old when he

published the first edition of his work in 1879, in the preface of which he said, with honest frankness: "*I describe a past which dates from yesterday. Conciseness OBLIGES ME TO AGLOMERATE ASSERTIONS WITHOUT PROOFS OR PERSONAL JUDGEMENT.*"

It is not strange that in writing thus WITHOUT PROOFS (and he himself confesses the fact), Cesar Cantú should have incurred so many errors when speaking of Mexico and of Juarez.

Having thus demonstrated that the champion of Reform, who was also one of the most prominent defenders of the independence and of the integrity of Mexico, was very far from selling or mortgaging one single inch of the national territory, let us now see where were, and who truly were those that really sought to take possession of Sonora, with the pompous pretext of *returning to the Latin race its vitality and its prestige on the other side of the Ocean.*

In order to make these details known to Cesar Cantú himself, who appears to be ignorant of them, we will take as a preferable text the work written by Don Francisco de Arrangoiz, an author who certainly cannot be suspected by the Church party, and who moreover served Maximilian, and was an ally of the invader.

In his work entitled: *Mexico from 1808 to 1867, Madrid, 1872, volume III*, we find the following pages:

«Page 143.—We sought neither conquest nor the establishment of colonies, says the Minister for Foreign Affairs, while one of the objects of the intervention, the first in the mind of Napoleon, was the possession of the State of Sonora, a colonial establishment which would have been a great and useful acquisition for France."



«Page 153.—When the success of the expedition was perceived the projects of speculation were started in Paris, and many persons, among them some of high position who had been most opposed to the expedition and had most severely criticised Napoleon, were the first to endeavour to profit by his triumphs. The Sonora mines were the speculation which had most partisans. They did not know, as the Mexicans then did not know, that Napoleon had already taken his measures to convert that rich State into a French colony; a project which he afterwards partly abandoned, because His Majesty undoubtedly understood all the inconveniences it presented, and he limited his desire to have a treaty made in Mexico between Almonte and Salas and M. de Montholon, successor of Saligny, by which treaty mining privileges, in open opposition with the laws of Mexico, were granted to France; privileges which were really a cession of Sonora to France; but this also was not carried out,

«A few weeks before the treaty was made in Mexico, Doctor Gwin, an emigrant from the South of the United-States, residing in Paris, presented another project to colonize Sonora with several thousand families from the Confederate States. According to this project, they were to govern themselves as they pleased, independently, in fact, of the Government of Mexico. The approbation of the Arch duke was solicited for it, as this was deemed absolutely necessary. To this end the Doctor wrote to him, the project being recommended by Señor Gutierrez Estrada who had agreed to do so, fascinated as he undoubtedly was by the idea of carrying enemies of the United-States to Mexico, and an energetic race.»

«Pages 178 to 180.—A few days after the conflict between the Archbishop, Almonte and Salas, became known in Paris, it was rumored that the new Empire was to be given up to its own fate, France keeping Sonora in payment of her debt. The time has come to prove that the rumor was well founded, since M. L. Debrauz de Salde-

penna, director of *Le Memorial Diplomatique*, and, as I have said before, an old confidant of Maximilian, in a long letter, dated July 14th 1865, which I have read, and in which he reminded Maximilian of the services he had rendered to His Majesty, said: «That M. Drouyn de Lhuys knew, since he himself proposed to the Emperor of the French to confide to him (to M. Debrauz) the painful mission of breaking the news, in December 1863, when the great majority of the Cabinet, in view of the conflict which had arisen between Marshal Bazaine and the Archbishop of Mexico, *insisted on giving up Mexico to her own fate, after having occupied Sonora under the title of guarantee*, that although he was ill, he had started for Miramar; that neither Gutierrez Estrada nor Hidalgo had dared to present to Maximilian any thing like an *ultimatum* to the effect that he should undertake his voyage within the term of two or three months, or abandon his candidature.

«It is not true that it was proposed to Hidalgo to go to Miramar upon such a disagreeable mission. Like the rest of the Mexicans, he only heard the rumor and did not believe it. I myself, giving full credit to M. Debrauz's letter, as I think it deserves, call the attention of the reader to that part which is put in Italics, to remind him of what I have said about Sonora, so that he may keep in view what I shall yet have to say with regard to projects whereby Mexico was to lose that rich State. And it may be noted that not all of the French personages who were in favor of the intervention, thought of making *the Latin race to recover on the other side of the Ocean its vitality and prestige*. They wanted speculations and mines *on the other side of the Ocean*.

«Very respectable persons have told me that General Miramon did not entertain the least doubt with regard to the pretensions of France to possess itself of Sonora, «Because, Miramon said to them, when he emigrated after leaving the Presidency on account of the victory of the Juaristas in Calpulalpan, on the 23rd of December 1860, that no sooner did he arrive in Paris than M. de Morny

went to see him, and in very affectionate terms proposed the sale of Sonora and Lower California to France.» to which proposal Miramon replied that «although he had been President with extraordinary powers, he was at that moment nothing at all» M. de Morny replied: that *«he would endeavour to bring about some form to obviate this difficulty, provided Miramon would agree to the views of France.»* Miramon then put an end to the conversation by stating to M. de Morny that «if his own acts could yet have any force, he would not perform them to the injury of his country.» Perhaps this conversation was the cause of the harshness with which the French Government treated Miramon, notwithstanding that he had been President, that he had solicited the intervention, and that he was the chief of the Church party, and was also the cause of the desire of General Bazaine to get him out of Mexico, fearing that on account of his prestige, Miramon could be an obstacle to the realization of the views of France respecting Sonora, or to aid Doctor Gwin.»

He afterwards speaks of the *secret additional articles* of the Convention concluded between Napoleon III and Maximilian, and says:

«Page 204.—The fifth article is ambiguous. Being drawn up by the French Government, care was taken not to express the fact that when there was an equality of rank, the French officer, out of deference and policy, would command, and that when there was a chief or an officer of superior grade, he should command, whether he might be Mexican or French. Relying on this article, the French always tried to command the Mexican officers who were their superiors. Thus, Mexican colonels would be subordinated to French captains &c.

«The first of the secret additional articles shows very plainly that without regard to the Conservative principles, by deceiving the persons who formed that party and hoaxing the monarchists, Napoleon and Maximilian, at-

tending only to their own private projects, had taken resolutions contrary to the opinion of the country, in the gravest and most transcendent questions. Maximilian agreed to the indications of Napoleon, because it suited his ambitious projects respecting Austria; and he deceived Napoleon by making him believe that he accepted in good faith the throne of Mexico, when he really wished it to serve merely as a theatre in which he could make himself known to the Austrian ultra-liberals. The article to which I refer comprised all that had been done by Generals Almonte and Salas, in the affair of *the promissory notes, the treaty respecting Sonora, and the bank concession.*»

« Page 279.—Mr. Gwin had not abandoned his project for the colonization of Sonora. In order to be able to carry it out, he again saw Napoleon and asked his co operation; and although, according to the dispatch of Hidalgo, dated April 30th of the preceding year, M. Drouyn de Lhuys had said that *he did not give him Mr. Gwin's project with the intention of recommending it to him, but solely with that of making it known to the Mexican Government*, yet Napoleon recommended General Bazaine, through M. Corta, Secretary to His Majesty, to protect the plan of Mr. Gwin. The recommendation of a project so fatal for the Empire having become publicly known, the press attacked it very severely, especially the satirical newspapers *La Orquesta*, *La Sombra*, *La Cuchara*, *El Buscapié* and *Los Espejuclos del Diablo*, the editors of which were imprisoned on the 22nd of March, by order of Marshal Bazaine, the French chief disingenuously alleging, as the basis of this arbitrary measure, that the decree of November 1863, declaring a state of siege, was still in force »

« Page 281.—In no particular have there been more absurdities committed, during the Empire, than in the colonization projects. It was desired *that the Latin race should recover its vitality and prestige on the other side of the ocean, so as to form a dyke which would stem the inva-*

ding torrent from the United States, and we see that Napoleon himself was favorable to the projects of Doctor Gwin in taking a colony of the invading race to Mexico, to the provinces most distant from the capital, where the Government could least make its strength be felt; that therefore he aided the project, with the means to continue its work, to subjugate the Latin race, and to exterminate the Indian.

«It was not even proposed to send any Mexican, Spanish or French families; the colony of Gwin was to consist *exclusively of people from the United States, Protestant in religion like himself.*»<sup>1</sup>

There were really functionaries *who did not feel ashamed*, as Forey said, to propose the sale of Sonora as a compensation for the generous protection imparted by Napoleon III to the Empire. All the world then knew the attempts that were being made to secure afterwards a direct protectorate by France; and

1 All the paragraphs here copied are taken literally from the last work of Francisco de Arrangoiz, entitled "Mexico from 1808 to 1867." — Madrid. — 1872.

Respecting the cession of the State of Sonora to France, the work entitled: OFFICIAL DOCUMENTS COLLECTED IN THE OFFICE OF THE PRIVATE SECRETARY OF MAXIMILIAN. *A history of the French Intervention in Mexico by E. Lefevre.* — Brussels and London, 1869. — Volume II, chapter VI, may also be consulted.

Also A HISTORICAL REVIEW OF THE FRENCH INTERVENTION IN MEXICO by José María Iglesias. — Mexico, 1869, and what has been afterwards published respecting these machinations in the CORRESPONDENCE OF THE MEXICAN LEGATION IN WASHINGTON. — Mexico, 1871, volume V.

Lastly, while we are speaking of the cession of territory, it is not out of place to recommend to our readers that valuable document published by the *Gaceta del Lunes*, in its issue of July 27 th, 1885. As it appears in this document, General Santa Anna proposed to the United States *the sale of any portion or portions of the territory of Mexico*, commissioning for this affair a certain Gabor Naphegy, who, of course, would have a good brokerage therefor, and who was Santa Anna's authorized agent, minister or something else, for it cannot otherwise be easily understood what signification that obscure personality really had.



there were not lacking those who desired to carry the stain, to use the words of General O'Donnell, of ceding a Mexican province, as a gratuitous guarantee in financial combinations of a certain class. But amongst those men *who thus lost all shame, and who thus stained their reputations*, Benito Juarez is not to be included, if history is to form the impartial narration of events, and is to be the reflection of the truth. The names and the nationality of *those men* are revealed very clearly by Don Francisco de Arrangoiz.

The patriotism of Juarez and the energy and courage of the national party which supported him, saved not only Sonora, but the whole territory of the Republic, seriously menaced as it was by the servile complacency of those who brought and aided the invaders.

These are the historic facts which make the personality of Juarez shine out in all his patriotism and love for the independence and the integrity of his country. We now proceed to discuss the absurd accusations made against him by Cesar Cantú, when he refers to the delivery of the body of Maximilian.<sup>1</sup>

<sup>1</sup> As a still further confirmation of what is stated in these last pages, we can add that Mr. Romero, the Mexican Minister in Washington, in an official note addressed to the Mexican Government then in Chihuahua, on the 19th of January, 1865, mentioned the project at that time attributed to Maximilian, of ceding to France *a large part of the national territory*. The same Mr. Romero also addressed to Secretary William H. Seward a protest, under date of February 6th, 1865, "against the cession which the Archduke of Austria, Ferdinand Maximilian, has made, or is about to make, of several States of the Mexican Republic to the French Government."


With regard to the projects of Napoleon, Maximilian and their partisans and agents, relative to the cession of territory, the parties mentioned afterwards disguised these plans under the projected colonization of Mr. Gwin. The fifth volume of the correspondence of the Mexican Legation in Washington may be consulted concerning these combinations. It contains data and details of the greatest importance respecting those events.

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## II

### Concerning the body of Maximilian.

HE calumnious imputation that Juarez had delivered the corpse of Maximilian for money, first appeared in "*Le Memorial Diplomatique*," a paper which, as every one knows, received its inspirations from Napoleon III. This calumny found ready admission in a work which was published sometime afterwards by the Prince Salm-Salm, under the title of "*Memoirs of Queretaro and Maximilian*," and since then it has served as the favorite theme for all the impassioned or mercenary writers who have subsequently fruitlessly endeavored to blacken the glory of Juarez. We will only add that M. Debrauz de Saldapenna, chief Editor of the publication we have just mentioned, was the person who was charged by Napoleon III to agitate the acquisition of Sonora, as our readers will have seen in the paragraphs before quoted from the work of Sr. Arrangoiz; and that Prince Salm-Salm, who was made a prisoner in Queretaro, owed his life to the magnanimity of Juarez.

A historian so eminent as Cesar Cantú acting, as he ought to have done, with entire impartiality, had no right to make this grave charge against the historic

reputation and personal honor of Juarez, based only on the statements of these two writers, when it would have been so easy for him to ascertain the truth by consulting the official documents, which were published eighteen years ago both in Europe and America.

On this point the political adversaries of Juarez appear more impartial, more sincere, and more honorable, than the calm judgment of history, which ought to have been reflected by the impartiality of Cesar Cantú. The "*Voz de Mexico*," one of the best known partisans of Maximilian's Empire, while referring to the inaccuracies of the Italian historian, concerning the body of the unfortunate Archduke, in its issue of June 27th 1885, published the following:

"*The body of the Emperor Maximilian and the Government of Don Benito Juarez.*—It is difficult for a  
 "historian not to incur some historical error, however  
 "much he may respect the truth, however great his  
 "learning may be, however clear his judgment, how-  
 "ever sincere his anxiety to present the facts as they  
 "happened. Obligated to avail himself of the statements  
 "made by persons who are considered to be well in-  
 "formed in Cabinet matters, relating to the events he  
 "records, sometime or another he will fall into error,  
 "however good the source may be from whence he  
 "takes his matter. This has happened to the respect-  
 "ed historian Cesar Cantú (who is justly appreciated  
 "in the literary world) on one of the points connected  
 "with the history of Mexico, and which refers to the  
 "body of the Emperor Maximilian. Following what  
 "was said by all of the European press, taken from  
 "that officially inspired publication "*Le Memorial Di-*



“*plomatique*,” which was considered the semiofficial “organ of the Government of Napoleon III, the laborious historian Cesar Cantú has asserted, in his last work, that the Government of Don Benito Juarez demanded from the Emperor of Austria, brother of the Emperor Maximilian, a sum of money for the delivery of the body of the latter to the distinguished person who had been sent for the remains of the deceased monarch. Not only in the newspapers, however, but also in certain works written by various foreigners who had formed part of the French army of intervention did this historian see the same statement. Among these works is the “*Memoirs of Queretaro and Maximilian*,” written by the Prince Felix de Salm-Salm, who was taken prisoner at Queretaro. He states that “*the body of the Emperor was held by the Republican Government for a base speculation*.” Cesar Cantú had no motives for doubting the report written by persons who had been in the service of Maximilian, nor that which had been circulated by the whole European press, and he asserted “*an error which justice and impartiality demand should be rectified out of deference to historical truth*.”<sup>1</sup> Desirous, as we are, to give to every one that which belongs to him, we copy what Niceto de Zamacois says in his “General History of Mexico, when denying the *false*

1 We do not agree with the *Voz de Mexico* in what it says for the purpose of excusing Cesar Cantú. However extensive may have been the circulation in Europe of Saldapenna’s journal, and of Salm-Salm’s book; however much the European press may have repeated the calumny against Juarez, it was the duty, and a sacred one, of the Italian historian, in all preference, to first consult before, writing, the official documents published here, and which would have opened to him a way to reach the truth without difficulty. The *Diario Ofi-*

“and *offensive* charge made by the Prince Salm-Salm, “and while stating that the Government of Benito “Juarez NEVER DEMANDED MONEY for the body of Maximilian. The following extract shows how Sr. Zamacois expresses himself in his work, volume XVIII, “chapters XX and XXI, *a work that is written with “the greatest impartiality, and in which he vindicates Mexico from the false charges made by various foreign writers “who are more passionate than just, and more unjust than “considerate.*”

After reproducing what Sr. Zamacois says with remarkable accuracy, with these words the “*Voz de Mexico*” concludes: “As is to be seen in the statements “of our friend Don Niceto de Zamacois in his last “work, “*The General History of Mexico,*” *the Government of Benito Juarez observed towards the body of the “Emperor Maximilian THE MOST EXALTED CONSIDERATIONS, and showed itself attentive, disinterested and “affable to the person sent by the Emperor of Austria to “receive the remains of his unfortunate brother.— “THESE ARE THE FACTS.—TRUTH BEFORE EVERY- “THING.*”

This act of justice, this tribute to truth, is highly honorable to the *Voz de Mexico*.

It was necessary completely to ignore the personality of JUAREZ, his notable antecedents, his disinte-

*rial* of the Mexican Government, when publishing (September 9th, 1867), the documents referring to the delivery of the body of Maximilian, said, and truly said, that *they (the documents), give the lie to the absurd and stupid commentaries of the foreign press, etc.* Why did not Cesar Cantu consult these documents? Why did he prefer, without any correction whatever, to reproduce one-sided statements, false data, and unjust charges, which, precisely because of their origin, ought at least to have appeared to him suspicious?

restedness, and his unimpeachable honesty, in order to attribute to him even the thought of setting a price upon the delivery of the body of Maximilian.

As Governor of the State of Oaxaca, as member of the Congress of the Union, as President of the Supreme Court, Secretary of State, and President of the Republic, JUAREZ was always the representative of Reform, the support of the Constitution, and the leader of the great national party. Throughout the long period of his exciting public life, he was at all times distinguished for his integrity, as for the simplicity of his habits, which won for him the praise of General Prim, who called him *the modest President with the black coat*, a phrase which the European press so often repeated afterwards. The man through whose hands the millions resulting from the Reform had passed, all of which wealth he viewed with indifference, was incapable of speculating by means of a body, even if this body were that of an Austrian Archduke.

“The body of Maximilian, “says Sr Zamacois,” “was clothed in black, and laid upon cushions of velvet, in a rosewood coffin, so beautifully made that it “displayed the fine taste and ingenuity of the constructor.”

This was the manner in which the mortal remains of the Archduke were treated by the *dishonourable, heartless oligarchy* of which Cesar Cantú speaks.

The coffin in which the body was deposited is the same in which the Archduke sleeps to-day the sleep of death in the Capuchin Convent in Vienna, which is the burying place of his family, and this fact is

sufficient to show that his royal relatives did not deem it necessary to substitute a better coffin.

The right which Benito Juarez has acquired to the high esteem of the Mexicans, and the respect in which they should hold his memory, so unjustly calumniated in these remarks of the historian Cesar Cantú, determined the President of the Republic to authorize this publication, in which it is demonstrated:

1st. *That Juarez did not enter into any treaty with the United-States to sell, cede, or mortgage either Sonora or any other State or territory of the Republic.*

2nd. *That the absurd assertion accepted by Cesar Cantú, to the effect that Juarez and his Government had sold the body of Maximilian, is false in every particular.*

Under the influence of political hatred, whatever any one wishes to say may still be said; but every body knows now the historical truth relative to these acts of the immortal BENITO JUAREZ. <sup>1</sup>

Let us now look at the official documents relating to the delivery of the body of Maximilian, which, as we have said in another place, could have been consulted by the Italian historian, if he had desired to know the truth, and which were published here in 1867.

Will European writers rectify the error into which they fell when speaking of Mexico and of Juarez, thus showing that they acted without malice, and only

1 The Spanish translator of Cesar Cantu's work, when he saw the insults heaped upon the Mexican people, their public men, their army, etc. could not abstain from adding the following words in a note, which we copy: "*This manner of maligning a whole people is inexcusable; the affection of the historian for the deceived Archduke cannot be accepted as an attenuating circumstance.*"

through ignorance, when they endorsed and propagated such absurd accusations?

We shall send this pamphlet to Europe printed in three languages, and then those writers will certainly have no excuse if, in the future editions of their works, they fail to relate these events impartially, in compliance with their duty as truthful writers.

That in Europe there has always been the greatest ignorance respecting the men and the affairs of this country, has been said by Don Jose Maria Luis Mora, in 1836, and repeated by Don Lorenzo Zavala in 1845. But this ignorance cannot hereafter be alleged in explanation of error, since the incontestable vouchers which we now insert have had so much publicity during many years past.

Let the Italian historian read what these vouchers say:

«*Diario Oficial of the Supreme Government of the Republic.* Volume I, number 21, Monday, September 9th 1867. —*The mission of vice-Admiral Tegetthoff.*—We publish below these lines all the official documents relative to the mission of vice-Admiral Tegetthoff, and to the various efforts which have been made with the Supreme Government to obtain its permission in order to remove the body of the Archduke Ferdinand Maximilian to Europe. These documents will show what from the beginning has been the idea of the Government, which has given to this matter only the importance it really merits. They also give the lie to the absurd and stupid commentaries of the foreign press, and at the same time to some hasty remarks on the part of the national press.»

«Telegram.—From Veracruz to Mexico.—Received in Mexico on the 26th of August 1867 at 7.29 P. M.—



To the Secretary of War.—The Austrian Admiral Tegetthoff arrived this morning off Sacrificios, in the Austrian war steamer *Elizabeth*. He has sent a message to these Military Headquarters saying that he desires to go to the capital to obtain from the Supreme Government permission to carry away the body of Maximilian. I wish to know whether I ought to prevent his going to Mexico.—*Zérega.*»

«Telegram.—Departament of War and the Navy.—Mexico, August 26th 1867.—To the Military Commander, —Veracruz.—The President of the Republic has learned that Admiral Tegetthoff has arrived at that port and that he desires to come to this capital. You can allow him to pass without any obstacle.—*Mejía.* »

«Department of Foreign Affairs and of the Interior.—Mexico, September 6th 1867.—MEMORANDUM.—Don Mariano Riva Palacio and Don Rafael Martinez de la Torre, who were of counsel for the Archduke Maximilian of Austria, called at this Department yesterday, stating that vice-Admiral Tegetthoff, of the Austrian Navy, had come to Mexico and desired to have a conference with the Secretary of Foreign Affairs.

“At the hour which had been appointed, to-day the vice-Admiral presented himself, accompanied by Messrs Riva Palacio and Martinez de la Torre.

«The Vice-Admiral stated that he had come to Mexico for the purpose of asking the Government of the Republic to permit him to take to Austria the mortal remains of the Archduke Maximilian.

«The Secretary of Foreign Affairs said that he would submit the petition to the President of the Republic and, in order that it might be taken into consideration, he desired that the vice-Admiral would be pleased to state the character in which he made it.

«The vice-Admiral said that when his coming to Mexico was determined upon, it was considered that it would

appear better to the Government of the Republic that he should not come with an official mission from the Austrian Government, but only in a private capacity to fulfill the desires of the family, who through natural affection and pious feelings, wished to possess the mortal remains of the Archduke. That as a consequence of this consideration, he had come to México solely with a private commission from the mother of the Archduke, and from his brother, His Majesty the Emperor of Austria.

«To an indication from the Secretary of Foreign Affairs, the vice-Admiral further stated that he had not brought any written document, having only received verbal instructions from the family of the Archduke. The vice-Admiral added that, if it was necessary, he would be ready to state in writing that he had come in this capacity.

«The Secretary of Foreign Affairs repeated that he would submit the petition to the President of the Republic, and that on the following day he would be able to communicate his resolution. — *Lerdo de Tejada.*»

«Mexico, September 7th 1867.—To-day vice-Admiral Tegetthoff, accompanied by Messrs Riva Palacio and Martinez de la Torre, called again at this Department.

«The Secretary of Foreign Affairs stated the following to Admiral Tegetthoff:

That the permission to remove the mortal remains of the Archduke had been already solicited by the Baron de Lago who had been acting near him as Austrian Chargé d'Affaires, by Baron de Magnus, who had been accredited near him as Prussian Minister and by Doctor Basch, the Archduke's private physician.

«That the Government replied to these three gentlemen saying that it had motives to refuse their petition. This reply had been made because the Government thought it was its duty that before deciding as to the permission to remove the body of the Archduke to Austria, it would be necessary to take into consideration either an official

act of the Austrian Government or an express act of the family of the Archduke, asking the Government of the Republic for the body.

« That although vice-Admiral Tegetthoff, by his social position in Austria and by his personal merits, is worthy of the consideration of the Government of Mexico, still it could not be decided to permit him to remove the body of the Archduke, because he has brought no document to satisfy any of the two essential requisites in the case.

« And that the President has authorized the Secretary of Foreign Affairs to say to vice-Admiral Tegetthoff that whenever either of these two requisites shall have been satisfied, whether by an official act of the Austrian Government or by an express act of the family asking for the body of the Archduke, the Government of the Republic will be ready to permit its removal to Austria, taking in consideration the natural pious feeling by which the petition would be made; that the Government had opportunely ordered that the body should be embalmed, and that it should be deposited and preserved, with the care and decorum due to mortal remains, by reason of the same natural and pious feelings. — *Lerdo de Tejada.*»

« Telegram. — San Luis Potosi., June 18th 1867. — At 9 A. M. — To General Mariano Escobedo. — It has been solicited from the Government to permit that, when the execution of Maximilian shall have taken place, his mortal remains may be disposed of in order to remove them to Europe.

« This permission has not been granted; but in view of said petition, the President of the Republic has determined that you shall proceed according to the following instructions:

« First. When the condemned shall have been executed, if the families of D. Miguel Miramon and of D. Tomas Mejia ask to dispose of their bodies, you will permit them the immediate and free disposal thereof.

« Second. You alone will direct what may be con-



venient respecting the body of Maximilian, refusing to allow any other person to intervene.

«Third. You will opportunely order zinc and wood coffins to be made, in order to guard, in a convenient manner, the body of Maximilian, doing the same with Miramon and Mejia, if their families do not ask for their bodies.

«Fourth. If any one should ask permission to embalm or inject the body of Maximilian, or to do any thing else which may not be inconvenient, you will refuse to allow any person to perform these operations; but in such a case, you will order it, taking care that, without refusing to foreigners permission to be present, all shall be done by Mexicans of your confidence, in a proper manner, the expenses being paid by the Government.

«Fifth. When the execution shall have been effected, you will order that immediately the body of Maximilian shall be guarded, as well as those of the others, if their families do not ask for them, with the decorum that is due after justice has been satisfied.

«Sixth. You will order the body of Maximilian to be deposited in a proper place, under the vigilance of the authorities.

«Seventh. In depositing the body of Maximilian and those of the others, if their families do not ask for them, you will order that the customary religious services shall be performed. — *Lerdo de Tejada.*»

«Telegram. — From Tacubaya to San Luis Potosi. — Deposited in Tacubaya the 19th of June 1867. — Received in San Luis Potosí on the 20th of June at 9.25 P. M. — C. President. — I request you to allow me to dispose of the body of Maximilian, in order to take it to Europe. — *Baron de Lago.*»

«Telegram. — San Luis Potosí, June 20th 1867 at 10.15 P. M. — To Baron de Lago. — Tacubaya. — The President of the Republic has ordered me to say to you, in reply-

ing to your telegram dated yesterday and received this evening, that on account of grave reasons, the disposal of the body of Maximilian cannot be allowed to you.—*S. Lerdo de Tejada.*»

«San Luis Potosí, June 29th 1867,—Sir: The Prince, while a prisoner in Querétaro, in a letter signed by his own hand and addressed to General Escobedo, on the eve of his death, expressed the desire that his mortal remains should be delivered to me and Doctor Samuel Basch, his physician, in order that Doctor Basch might accompany them to Europe, and that I might undertake to have the body embalmed, and attend to every thing concerning its removal to Europe.

«According to the will of the deceased Prince, which he expressed to me verbally, the removal of his remains must be made without any display and in a manner to carefully avoid every thing that might excite demonstrations or even public curiosity.

«Repeating therefore, the request which I had the honor to make to Your Excellency, to be pleased to have the necessary orders issued that the mortal remains might be delivered to me, I shall willingly yield to the desires which may exist relative to the removal of the body to the coast and on board of one of the ships of the Austrian Navy, stationed in Veraacruz.

«I avail myself of this opportunity to repeat to Your Excellency the assurances of my high consideration.—*A. V. Magnus.*—To His Excellency Sr. D. Sebastian Lerdo de Tejada.»

«San Luis Potosí, June 30th 1867.—To Baron A. V. Magnus etc., etc., etc.—Sir: I have received the communication which you addressed to me yesterday, stating that the Archduke Ferdinand Maximilian of Hapsburg, on the eve of his death, expressed the desire that his mortal remains should be delivered to you and Dr. Samuel Basch, in order that they might be removed to Europe.

«As I have before had the honor to say to you, there are several considerations which induce the Government of the Republic to think that it ought not to permit that the mortal remains of the Archduke should be taken to Europe.

«For this reason, I regret to have to reply to you that the Government cannot issue the orders which you have desired for that purpose.

«I avail myself of this opportunity to repeat to you, that I am your respectful and obedient servant.—*S. Lerdo de Tejada.*»

«C. Lerdo de Tejada, Secretary of Foreign Affairs and of the Interior.—The undersigned, with due respect, has the honor to state to you, Mr. Secretary, that as private physician of the late Archduke Maximilian, I was requested by him to take his body to Europe and deliver it to his family.

«That such was his will is apparent by the letter signed by himself which, under date of the 16th of last June, he addressed to Mr. Carlos Rubio in Querétaro, of which letter I have the honor to enclose a copy (marked A), and also by another one, dated the 18th of the same month, the original of which is held by General Escobedo, as it is stated in the letter of Colonel Ricardo Villanueva, which is enclosed herewith (marked B).

«I consider the fulfilment of this order as a sacred duty, and I make bold, in the discharge thereof, to beg of you, Mr. Secretary, to be pleased to order that the said body be delivered to me. This petition is grounded on the fact that by your orders the bodies of his companions in misfortune have been delivered to their families, and that never at any time has the Supreme Government refused to deliver a body to the families who have asked for it.

«I beg of you, finally, to be pleased to answer this my respectful petition, be the reply whatever it may, so that, upon returning to my country, I may be able to prove before the family of the late Archduke, that, on my part,

everything possible was done to obtain the carrying home of the mentioned body.

«In this a favor would be received by your most respectful and obedient servant.—*Dr. Samuel Basch*.—To the Citizen Secretary.—Mexico, July 27th 1867.»

«Department of Foreign Affairs and of the Interior.—Department of the Interior.—First Section.—In view of your petition, dated yesterday, asking permission to take to Europe the mortal remains of the Archduke Maximilian, the President of the Republic has decided, on account of several and serious considerations, that it is not possible to accede to the petition alluded to.—Independence and Liberty. Mexico, July 29th 1867.—*Lerdo de Tejada*.—To Doctor Samuel Basch.»

«*Diario Oficial of the Supreme Government of the Republic*.—1st Volume.—Number 82, issue of Saturday, November 6th 1867.—REMOVAL OF THE BODY OF THE ARCHDUKE MAXIMILIAN TO AUSTRIA.—On the 9th of September we published the documents relative to the mission on which vice-Almiral Tegetthoff came to Mexico. The Government then replied to him that in order to resolve whether the removal of the body of the Archduke Maximilian to Austria would be permitted, it was necessary that the question should be examined considering the petition asking for the Archduke's body either as an official act of the Austrian Government or as an express act of the family of the Archduke, and that the Government would be willing to grant the permission whenever either of the two characters of the petition might be well defined, taking in consideration the natural and pious feelings by which it should be made.

«This petition has been made in the name of both the Austrian Government and the family of the Archduke, by a note from the Prime Minister of that Nation, which note we now publish, together with the reply of the Government of the Republic, stating that the body will be immediately delivered, in order that it may be removed to Austria.»

«Mr. Minister:—A premature death having wrested the Archduke Ferdinand Maximilian from the affection of his family, His Imperial and Royal Apostolic Majesty feels the natural desire that the mortal remains of his unfortunate brother should find their last resting place in the vault which contains the ashes of the Princes of the House of Austria. The father, the mother and the other brothers of the august dead; and, in general, all the members of the Imperial Family participate in this desire.

«The Emperor, my august master, entertains the confidence that the Mexican Government, yielding to a feeling of humanity, will not refuse to mitigate the just grief of His Majesty in facilitating the verification of this desire.

«Consequently, vice-Admiral Tegetthoff has been sent to Mexico with instructions to solicit from the President the delivery of the remains of the beloved brother of His Majesty, in order that they may be brought to Europe.

«On my part, I have been ordered, in my capacity of Minister of the Imperial House, to ask the benevolent interference of Your Excellency to obtain for the vice-Admiral the necessary authority to fulfil his instructions.

«Having the honor, Mr. Minister, to beg of you, in anticipation, to be the channel to convey the gratitude of the august Imperial family to the Chief of the State for the compliance with their desire, and that you yourself will accept the expression of their gratitude for the kind offices with which you may be pleased to contribute, I avail myself of this opportunity to offer to Your Excellency the assurances of my high consideration.—Vienna, September 25th 1867.—The Chancellor of the Empire.—*Beust.*»

«Department of Foreign Affairs.—México, November 4th 1867.—Mr. Minister:—Vice-Admiral Tegetthoff has delivered to me the note of Your Excellency, dated the 25th of September last.

«Your Excellency has been pleased to communicate



to me in said note that His Majesty the Emperor of Austria, entertains the natural desire that the mortal remains of his brother, the Archduke Ferdinand Maximilian, should find their last resting place in the vault which contains the ashes of the princes of the house of Austria; that the father, the mother and the other brothers of the Archduke, and, in general, all the members of the Imperial family participate in this desire; and that His Majesty, the Emperor, entertaining the confidence that the Mexican Government, under a sentiment of humanity, will facilitate the verification of that desire, has sent vice-Admiral Tegetthoff to Mexico with instructions to solicit from the President permission for him to take to Europe the remains of the Archduke.

«The President of the Republic, having been informed of the just feelings expressed in the note of Your Excellency, has not hesitated to order that the natural desire of His Majesty, the Emperor of Austria, and of the Imperial family, be complied with and satisfied, with great consideration.

«According to the orders of the President, I have informed vice-Admiral Tegetthoff that the mortal remains of the Archduke Ferdinand Maximilian shall be immediately delivered to him, so that he may be able to take them to Austria, in compliance with the object of his mission.

«I have the honor, Mr. Minister, to express to Your Excellency the assurances of my most distinguished consideration.—*S. Lerdo de Tejada*.—To His Excellency Count de Beust, Chancellor of the Empire and Minister of the Imperial House of Austria.—Vienna.»

«*Diario Oficial* of the Supreme Government of the Republic.—Volume I. Number 83. Sunday, November 10th 1867.—THE BODY OF MAXIMILIAN.—In some moments, the body of Maximilian of Hapsburg will be taken away from this capital and within a very short time it will be received on board of the ship "Novara" which will



transfer it to his country. Respectable persons, who have been appointed to this effect by the Government of the Republic and by that of Austria, will carry out this sad operation and the commission will be executed with all due decorum and with the respectful attention which ought to be rendered to the dead and which the culture of our people demands.

«The body is very well embalmed; and although a thousand calumnies have been uttered abroad respecting the condition in which it is, we are able to assert that it does not show any important decomposition, apart from the natural alterations which ought to result after the cessation of life, such as the darkening of the skin and the partial falling of the hair; but in every other respect it is in the best condition of preservation that could be expected. The doctors who have taken care of preserving the body, have been especially diligent in doing every thing that was within their power to counteract the destructive work of climatic influences which act against the safest preparations known to science to avoid putrefaction, and they have succeeded, for the body has not undergone any remarkable alterations.

«The body is dressed in black, and rests on velvet cushions, in a rosewood coffin, elegantly and handsomely worked, showing the good taste and ingenuouness of the builder. On the lid, a cross is worked in relief, intertwined in vine leaves, and this alone constitutes, in the idea and the execution, a very handsome ornament. As it is to be supposed, the rest of the work, in its details, is not inferior to the principal part, and shows no fault worth mentioning. This coffin is deposited in a zinc case, which excludes the air, and both are contained in another case made of cedar, which although intended only for a mere provissional covering, has been made with no less careful attention. A especial car has also been prepared in which all this can be carried, and in the interior, as well as in the exterior, all has been done in such a manner as to prevent jolting during the voyage on land and by sea, from sha-

king the remains of him who in life was Maximilian Archduke of Austria. The Mexican Government has deemed it its duty, on this occasion, to appropriate the necessary expenses, and to act with the refinement and decorum corresponding to the Nation it represents; and if, under the actual circumstances, anything can be said in Europe respecting our action, it is that if an imperious political necessity obliged Mexico to apply the last penalty to a foreign invader, Mexico nevertheless understands how to silence her passions in the presence of a sepulchre.

«With the return which we make to Europe of the body of Maximilian, deep and serious reflections arise, and history offers a lesson which ought to be profited by, since the fate of Iturbide failed to teach anything useful to the enemies of the liberty of Mexico.»

We deem it convenient to now publish other official documents relative to the expenses paid by the Government of Mexico for the purpose of embalming and of preserving the body of the unfortunate Archduke :

« In due fulfilment of the instructions contained in the note which, under date of the 12th of September last, you were pleased to address to us, ordering us to examine the body of the Archduke Maximilian, which was embalmed in Queretaro, and to do, if necessary, whatever should be proper in order to keep it in a good state of preservation, on the 13th of same month we went to the church of the Hospital of San Andres, where the body was deposited, and there being present the General Inspector of Police and three officers, after the body was taken out from the wooden and zinc cases in which it had been placed in Queretaro, we proceeded to undress it and to take off the bandages, placing it afterwards on the Gaudl table.

«From that day until the 8th instant, keeping always the body on the said table, we continued practising all

those partial or general operations which appeared to be the most adequate for its proper preservation.

«The viscera having been taken out from the two leaden cases in which they were found, we placed them in a preserving bath while we completed our operations on the body.

«When these operations were finished, we agreed to place the viscera in their natural cavities, for which purpose we filled them with lint mixed with the powder recommended by Soubeiran; and we placed in the cavity of the skull, through the aperture already made there, all the large and small pieces into which the *cerebrum* had been cut, as also the *cerebellum*, the protuberance and a part of the oblong *medulle*. In the same manner, we placed in the abdomen and in the thorax, the heart, the lungs, the œsophagus, the thoracic aorta, the liver, the stomach, the bowels, the spleen and the kidneys.

«After having been properly bandaged with fine and varnished white linen and with guttapercha, we dressed the body with the clothes delivered by Mr. Davidson, excepting two pieces of underwear which were bought, as they were not found in the baggage which was in the possession of this gentleman.

«The body was then placed in a double case of varnished cedar and passion-wood, in the form of an urn, two meters 20 centimeters long, 60 centimeters high, and 75 centimeters wide, with a solid lock, the body lying in such a manner that it cannot be displaced in any way, not even by completely turning the case over. This case was placed in another of zinc, which having been hermetically closed by soldering, was covered by yet another ordinary wooden coffin, painted in black, to prevent the zinc case from being perforated by any accident whatever.

«All the objects which we used in our operations were burned this morning in the grave-yard of Santa Paula, as were also the coffins, clothes, bandages etc., which came from Queretaro.

«All these operations were performed in the presence

of the Inspector of Police and of the officers alluded to; and having been finished at ten o'clock to-night, we have delivered the body to the said Inspector of Police.

«Mexico, November 11th 1867.—*Rafael Montaña Ramiro*.—*Ignacio Alvarado*.—*Agustin Andrade*.—To the Secretary of Foreign Affairs and of the Interior.»

«Taking in consideration that General Mariano Escóbedo, commander in chief of the Army of operations against Queretaro, intrusted Doctor Ignacio Rivadeneyra, who was employed in the Medical Military Corps, with the operation of embalming the body of Maximilian in Queretaro, the President of the Republic has ordered that one thousand dollars (\$ 1000) be paid to Doctor Rivadeneyra as a recompense for the said operation, with the understanding that in case it should be hereafter decided that, apart from their salaries, an amount ought to be paid to all or some of the persons who assisted in the operation alluded to, then this sum shall be charged in account.

«The said one thousand dollars (\$ 1,000) shall be delivered to colonel Juan C. Doria, in payment of a document for the same amount from Doctor Rivadeneyra.

«I communicate this to you so that you may issue the necessary order.

«Independence and Liberty. México, November 13th 1867.—*Lerdo de Tejada*.—To the Secretary of the Treasury.»

«To day I have addressed to the Secretary of the Treasury the following official communication: Taking in consideration, etc., etc., etc. . . . And I transcribe it to you for your information.—Independence and Liberty. Mexico, November 13th 1867.—*Lerdo de Tejada*.—To Doctor Ignacio Rivadeneyra.—Puebla.»

«We, the undersigned, beg of the Secretary of Foreign Affairs and of the Interior to be pleased to inform us

where we ought to apply for the payment of six thousand dollars due to us for the work we performed in the preservation of the body of the Archduke Maximilian, which was intrusted to us.

«At the same time we beg of you to be the worthy channel through which we may present to the Supreme Government the most sincere expression of our gratitude for the confidence it reposed on us in committing the said commission to our charge.

«We offer to you the assurances of our respectful consideration.

«Independence and Liberty. Mexico, November 21st 1867.—*I. Alvarado.*—*Rafael Montaña Ramiro.*—*A. Andrade.*—To the Secretary of Foreign Affairs and of the Interior.”

«The President of the Republic has ordered, in conformity with the petition of Doctors Ignacio Alvarado, Rafael Montaña Ramiro, and Agustin Andrade that the sum of two thousand dollars (\$2,000) be paid to each one of them as fees for their work in the preservation of the body of the Archduke Maximilian of Austria, which was intrusted to them by the Supreme Government.

«I communicate this to you so that you may issue the necessary orders.

“Independence and Liberty. México, November 23rd 1867.—*Lerdo de Tejada.*—To the Secretary of the Treasury.”

«The President of the Republic has ordered that two hundred and fifteen dollars, seventynine cents (\$215 79) be paid to Doctor Ignacio Alvarado, as balance of the expenses incurred in this city for the preservation and delivery of the body of the Archduke Maximilian of Austria.

«I communicate this to you so that you may be pleased to issue the necessary order, charging said sum to the account of general expenses of the Department of Foreign Affairs.



«Independence and Liberty. México, November 23rd 1867.—*Lerdo de Tejada*.—To the Secretary of the Treasury.”

«I have the honor to enclose the note of the distribution of, and the vouchers for, the seven hundred and fifteen dollars, seventy eight cents. ( \$ 715 78 ) which I received from the General Treasury for the operations performed according to your orders, in embalming and preserving the body of the Archduke Maximilian, so that if you think it proper, you will be pleased to order that the corresponding document may be issued and delivered to me.

«México, December 26th 1867.—*Ignacio Alvarado*.—To the Secretary of Foreign Affairs.”

«Department of Foreign Affairs.—Section of Europe.—Enclosed in your note, dated the 26th instant, this Department received the account with vouchers of the distribution made by you of the seven hundred and fifteen dollars seventy eight cents ( \$ 715 78 ) which were delivered to you by the General Treasury to pay the necessary expenses to embalm and preserve the body of the Archduke Maximilian; and the President of the Republic on being informed thereof, has approved the same, duly appreciating the services which you have rendered in the fulfillment of the commission with which you were intrusted. You can present at once the receipt for the balance which results in your favor, so that this Department may pay you said balance.


«Independence and Liberty. Mexico, December 28th 1867.—*Lerdo de Tejada*.—To the citizen Ignacio Alvarado.»





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UR duty is done.

We do not even remotely imagine that the documents which we have published, in other words, the true statements of the facts, will be enough to silence for ever the intemperate vociferations that, from time to time, are launched against Juarez by his political enemies.

They will continue to say, however absurd it may appear, that Juarez sold a part of the national territory to the Americans.

They will repeat that Juarez, for a money consideration, delivered to the Emperor of Austria the bloody corpse of his unfortunate brother.

They will repeat even to satiety that which so often has been said, that Juarez, as the leader of a demagogic minority, tyrannically imposed his will without having had, at any time, the support of the Nation, since the Nation, in its great majority, was *Imperialist* and gladly had accepted a foreign monarch sent by Luis Napoleon as a token of his *benevolence*.

And as a matter of course, there always will remain, without a satisfactory explanation, the incomprehensible fact that this immense majority, formed by partisans of the Empire, as it was affirmed in Europe, having, as it had, the support of the French army and the *sound part* of the country, would have permitted that a handful of bandits, demagogues or men of that stamp, could cause the death of the so-called monarch in the Cerro de las Campanas, re-establishing immediately the republican institutions which the said majority had vainly attempted to destroy.

The unjust accusations against Juarez will be repeated; the calumnies intended to stain his historic reputation and even his personal honor, will become multiplied; but all this will be perfectly useless, and moreover, all will produce the contrary effect, since the glory of the illustrious departed will be so much the greater, as the attacks of his enemies are unmerited and passionate.

Let them insult as they will the extraordinary man who sleeps the eternal sleep of death in the pantheon of San Fernando, and who there awaits the judgment of History and the sentence of posterity; they will not succeed, by this means, in overthrowing the venerated institutions which form the political creed of the great liberal party.

Abhor, hate, curse Juarez, as much as you will; you have the right to do so, and you do well, you who abhor the Republic, who hate the Constitution and who curse the Reform.

Copy that which Cesar Cantú has written, if it will please you; cite the authority of a Saldapenna in his-

torical controversies; allege, as a further proof, the testimony of a Salm-Salm; repeat what was said by O'Donnell in his speech, and what was affirmed by Forey in his proclamation; torture the genuine meaning of words, converting into crimes even the colonization contracts . . . . . and you will never be able, in your impotent passion, to darken, even for one moment, the imperishable glory of Juarez, nor diminish in the very least the prestige he had, which his name maintains at present, and which he forever will have, whatever may be the noisy declamations of those who, in their humble condition of the conquered, sought in calumny a consolation for their defeat.









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